

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

N.H., et al.,

) CASE NO. 5:21-CV-1034

Plaintiffs,

) JUDGE BRIDGET M. BRENNAN

v.

) MAGISTRATE JUDGE CARMEN E. HENDERSON  
) DECLARATION OF VILLAGE OF LAKEMORE  
DYLAN SOISSON, et al., ) POLICE CHIEF ROY SMITH

)

Defendants

Now comes Roy Smith who, for his Declaration, deposes and states under oath as follows:

1. I have personal knowledge of the facts contained in this Declaration.

2. I am the Police Chief for the Village of Lakemore and have held that position since May 17, 2021. Previously, I had been a Captain in the Village of Lakemore Police Department between September 1994 and July 2009. After the Village of Lakemore disbanded its' Police Department in 2009, and contracted with Springfield Township to provide police services, I worked for the Township for several years. Overall, I have been a police officer for twenty-eight (28) years.

3. The Village of Lakemore Police Department has a Use of Force Policy, which was adopted on February 12, 2018 and in effect on June 5, 2020. That same Policy remains in effect currently.

4. The Use of Force Policy Force provides as follows:

315.113 Force means any physical coercion by an officer in performance of official duties, including the following types of force.

315.114      De Minimis Force - Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury. Includes:

- Use of control holds or joint manipulation techniques in a manner that does not cause any pain, and are not reasonably likely to cause any pain.
- Using hands or equipment to stop, push back, separate, or escort a person without causing any pain, or in a manner that would reasonably cause any pain.

5.      I have personally reviewed Officer Soisson's body cam video [92865894], which involved the seizure of minor N.H.

6.      Officer Soisson's use of force was de minimis and in compliance with the Village Police Department's Use of Force policy.

7.      I have also reviewed Detective Morrison's Investigative Report. That report contains a number of errors including, but not limited to, his claim that (1) N.H. was placed in a bear hug; and (2) Officer Soisson used a "joint lock" technique.

8.      The bear hug involved a different female (other than N.H.), who was resisting arrest, on that same evening.

9.      A review of the body cam video [92865894], objectively shows that at the 24:10 mark, Officer Soisson briefly grabbed N.H.'s left bicep, for about one second, while his right hand was pulling N.H.'s arm behind her back in a natural bent position. At the 24:11 mark, it shows that Officer Soisson quickly let go of her left bicep and was using only his right arm to hold N.H.'s left arm in position before handcuffing her.

10.     A "joint lock" is a pain compliance technique whereby a person places one hand just above the elbow and uses the other hand to pull the arm in the opposite direction, which

effectively “locks” or holds the arm into a straight position. It requires not only the use of both hands on the same arm to effect such a maneuver, but pressure applied just above the elbow. There is nothing in the body cam video [92865894], which shows that such a technique was used on N.H.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



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Roy Smith, Police Chief,  
Village of Lakemore, Ohio